
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
THURSDAY – APRIL 30, 2015

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held April 30, 2015, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

ABSENT: Scott, Summers 2.

PRESIDING: President and Trustee Kenneth Hauser.

Trustee Hauser called the meeting to order.

The first order of business was review and approval of minutes from the Investment Committee Meeting held April 27, 2015.

It was moved by Trustee Lappe, seconded by Trustee Avila that the Board approve the minutes of the Investment Committee Meeting held April 27, 2015, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Next was the approval of the Minutes of the last regular meeting of the Retirement Board held March 26, 2015.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the minutes from the regular meeting held March 26, 2015, as presented.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

The President called for a motion to adopt the Order as drafted on the petition of Officer **Pauline Heard** for prior service credit.

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the order on the petition of Officer Pauline Heard for prior service credit.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

The President turned the meeting over to the recording secretary, Trustee Maloney.

The Board Recording Secretary conducted the agenda as follows:

PAGE NO. REFERENCE

1 - 7 Incurred Expenses for the Month of April 2015.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the Obligations as detailed on pages 1 through 7.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Scott, Wright 7.

Absent: Summers 1.

Against: 0.

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AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

8 - 10 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations, and Exempt Rank.

It was moved by Trustee Wright, seconded by Trustee Avila that the Board approve the Refunds as detailed on pages 8 through 10.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

11 - 12 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Payments to Heirs of Deceased Annuitants as detailed on pages 11 and 12.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

13 Refund of Unused Annuity Accumulations

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the Refunds of Unused Annuity Accumulations as detailed on pages 13.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

14 Refund of Annual Increase Contributions

It was moved by Trustee Wright, seconded by Trustee Avila that the Board approve the Refund of Annual Increase Contributions as detailed on pages 14.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

15 - 17 Annuities [Summary pg. 18]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Annuities as detailed on pages 15 through 17.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

19 Annuities to Widows [Summary pg. 20]

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Annuities to Widows as detailed on page 19.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

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AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

21 Annuities to Children

It was moved by Trustee Lappe, seconded by Trustee Hauser that the Board approve the Annuities to Children as detailed on page 21.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

22 Ordinary Disability Benefits – Revised

It was moved by Trustee Lappe, seconded by Trustee Wright that the Board approve the Revised Disability benefit as detailed on page 22.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

23 Occupational/Duty Disability Benefit Claims

a) **Friedlieb, Jeffrey E.**

Based on the medical reports, it was moved by Trustee Hauser, seconded by Trustee Wright that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

b) **Nieves, Lourdes**

Based on the medical reports, it was moved by Trustee Lappe, seconded by Trustee Avila that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

24- 28 Occupational/Duty Disability Benefit Claims – Revised

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the Revised Duty/Occupational Disease Disability Benefits as detailed on pages 24 through 28.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

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AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

29 - 31 Payments of Death Benefits [Summary pg. 32]

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board approve the Death Benefits as detailed on pages 29 through 31.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

MISCELLANEOUS

33 CLAIM FOR CHILD DISABILITY BENEFITS

Jaber, Rabi

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Child Disability benefits as detailed on page 33.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

34 GUARDIANSHIP APPOINTMENT

Battiato, Raymond F.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board acknowledge the Guardianship Appointment as detailed on page 34.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

35 REQUEST FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214 (c)

It was moved by Trustee Wright, seconded by Trustee Hauser that the Board approve the requests for pension credit for prior service as detailed on page 35.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

36 REQUEST FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214.3

It was moved by Trustee Avila, seconded by Trustee Wright that the Board approve the requests for pension credit for prior service as detailed on page 36.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

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General Agenda completed, *It was moved by Trustee Lappe, seconded by Trustee Hauser that the Board go into executive session pursuant to 2 (c)(11).*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Before proceeding with hearings, Board counsel discussed the matter of **Daniel Rosenthal**, whose disability hearing was held at the March 2015 Board meeting.

It was moved by Trustee Maloney, seconded by Trustee Lappe that the Board re-open the Daniel Rosenthal case to accept the submission of additional evidentiary reports and the Board's prior order awarding ordinary disability benefits without prejudice to a full evidentiary hearing be continued until further order of the Board.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

The Board President Hauser called the hearings on the scheduled cases.

DISABILITY HEARINGS

DUTY DISABILITY STATUS REVIEW

37 Day, Samirah

In the matter of **Samirah Day**, *it was moved by Trustee Wright, seconded by Trustee Maloney that the Board approve a continuance for 30 days on the disability status hearing.*

ROLL CALL

For: Hauser, Maloney, Wright 3.

Absent: Scott, Summers 2.

Against: Avila, Hamburger, Lappe 3.

TIE VOTE

It was then moved by Trustee Hamburger, seconded by Trustee Lappe, that the Board suspend Officer Day's disability benefits until her status hearing is concluded.

ROLL CALL

For: Avila, Hamburger, Lappe 3.

Absent: Scott, Summers 2.

Against: Hauser, Maloney, Wright 3.

TIE VOTE

The Board's counsel, Mr. Kugler, advised that on May 29, 2015, the Board will hear Ms. Day's disability status; if she is not ready the Board may renew its motion to suspend benefits.

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DUTY DISABILITY STATUS REVIEW, Continued

38

Di Pasquale, Shannon

Shannon Di Pasquale appeared before the Board, with counsel, on her disability status review. After hearing testimony from disability recipient and Medical Section personnel, and reviewing the documents submitted *it was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board terminate Shannon DiPasquale's current disability benefits effective May 31, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

39

McCourt, Joseph

Joseph McCourt appeared before the Board on his disability status review. After hearing testimony from disability recipient and Medical Section personnel, and reviewing the documents submitted *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board terminate Mr. McCourt's current disability benefits effective May 31, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

40

Ocasio, Royland

Royland Ocasio appeared before the Board on his disability status review. After hearing testimony from disability recipient and Medical Section personnel, and reviewing the documents submitted *It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board terminate Mr. Ocasio's current disability benefits effective May 31, 2015.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

41

O'Connor, Daniel

Daniel O'Connor appeared before the Board on his disability status review. After hearing testimony from disability recipient and reviewing the documents submitted *it was moved by Trustee Lappe, seconded by Trustee Maloney that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Maloney that Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe, that this case be continued for 60 days, with direction to Officer O'Connor to have his physician, Dr. Lim, complete certain forms provided by the Medical Section of the CPD. This matter will be on the June 2015 agenda for review.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

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PAGE NO. REFERENCE

42 DUTY DISABILITY CLAIMS

Keenan, David

In the matter of **David Keenan**, *it was moved by Trustee Maloney, seconded by Trustee Wright that the Board approve a continuance on the duty disability claim, pending an updated report from the attending physician.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Mheenbeek, Adria T.

Adria Mheenbeek appeared before the Board, with attending physician Dr. Patricia Mueller, on her claim for a duty disability benefit. After hearing testimony from claimant, claimant's physician and reviewing the documents submitted *It was moved by Trustee Wright, seconded by Trustee Lappe that the Board award Adria Mheenbeek an ordinary disability benefit.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Swain, Jennifer J.

Jennifer Swain appeared before the Board, with counsel, on her claim for a duty disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *It was moved by Trustee Maloney, seconded by Trustee Wright that the Board award Jennifer Swain a duty disability benefit.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was then moved by Trustee Maloney, seconded by Trustee Wright, that the Board grant the duty award at 75% of salary as defined in the Pension Code.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

Williams, Kelli

Kelli Williams appeared before the Board, with counsel, on her claim for a disability benefit. After hearing testimony from claimant, Board's physician and reviewing the documents submitted *It was moved by Trustee Maloney, seconded by Trustee Wright that the Board go into Executive Session per 2 (c)(11)*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Avila that the Board exit Executive Session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

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42 DUTY DISABILITY CLAIMS, Continued
 Williams, Kelli

It was moved by Trustee Wright, seconded by Trustee Lappe, that the Board grant Officer Kelli Williams an ordinary disability benefit, pursuant to the Pension Act, for the period September 29, 2014, through May 31, 2015.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

In the matter of **Lawrence Hill**, an officer in receipt of an ordinary disability benefits, a letter was submitted from his attending physician, who has released him for full duty. After discussion and review of the medical report, *it was moved by Trustee Lappe, seconded by Trustee Wright, that the Board terminate the ordinary disability benefit without prejudice based upon the report of his doctor finding Lawrence Hill is able to return to work without restrictions.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

In the matter of **Alexis Willett**, application for child annuity benefits as the daughter of deceased Officer Michael A. Pease, *it was moved by Trustee Wright, seconded by Trustee Lappe that the Board continue this matter to a later date per claimant's request.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

The Executive Director reviewed with the Board the following matters.

- The Board's physician has recommended testing to be completed as follows:

<u>Member</u>	<u>Recommended Test</u>
Daniel S. Borchers	FCE

It was moved by Trustee Wright, seconded by Trustee Maloney that the Board approve the recommendations of the Board's physician to have a FCE for Daniel Borchers.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

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It was moved by Trustee Hamburger, seconded by Trustee Wright, that the Board go into executive session per 2 (c) (11).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

- The Board's physician has recommended additional testing to be completed as follows:

<u>Member</u>	<u>Recommended Test</u>
John Kubik	Neuropsych testing

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the recommendations of the Board's physician to have certain testing completed on John Kubik.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

- Reminder that May 26, 2015, is the annual Police Recognition Ceremony and Luncheon for which one table was purchased for attendance by Trustees and staff.
- Announcement concerning Personnel additions effective May 1, 2015 are; Joseph Kosman as a disbursement payroll clerk and Angela Loeffler as a benefit analyst.
- Reminder that Cook County Statement of Economic Interest is due by May 1st.
- Trustee Hauser requested a follow-up with the Firemen's Annuity & Benefit Fund regarding the proceeds from the fund raiser softball outing last year. Director Tuczak informed the Board that communication with Firemen's Annuity & Benefit Fund indicates PABF's share would be \$1,000, which shall be forwarded shortly.
- Director Tuczak informed the Board that staff has completed most of the disability retro adjustments. A discussion was held regarding the appropriate disability rate for Officer James Mullin, who is in receipt of Total and Permanent disability benefits. Trustee Hamburger will try to provide additional salary information on CAPS Coordinators.
- General agreement was to have an Actuarial and Audit Committee review the 2014 Fund results. Trustees Hamburger, Maloney & Scott were designated as the committee.
- Director Tuczak distributed an updated analysis on the disability members returning to work for 1st quarter 2015.

It was moved by Trustee Wright, seconded by Trustee Avila, that the Board go into executive session per 2 (c) (5).

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

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It was moved by Trustee Wright, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

All business concluded for this date, April 30, 2015, *it was moved by Trustee Wright, seconded by Trustee Avila that this meeting be adjourned.*

ROLL CALL

For: Avila, Hamburger, Hauser, Lappe, Maloney, Wright 6.

Absent: Scott, Summers 2.

Against: 0.